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1 JEFFREY M. VETTER
2 CHAPTER 7 TRUSTEE
3 P.O. BOX 2424
4 BAKERSFIELD, CA 93303
5 (661) 809-6806

6 **IN THE UNITED STATES BANKRUPTCY COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**

8 In re:

9
10 SHANNON AND BONNIE SAWYER

11 Debtor(s).

Case No: 10-15401-B-7

Chapter 7

DC No. JMV-2

12 **APPLICATION FOR ORDER**
13 **AUTHORIZING TRUSTEE TO**
14 **SELL PERSONAL PROPERTY**
15 **AT PUBLIC AUCTION**

16 Date: September 2, 2010

17 Time: 10:00 am

18 Place: U.S. Bankruptcy Court
1300 18th Street, Suite A
Bakersfield, CA

19 Judge: W. Richard Lee

20 TO THE HONORABLE W. RICHARD LEE, UNITED STATES BANKRUPTCY COURT
21 JUDGE:

22 I, JEFFREY M. VETTER, declare:

23 1. I am competent to testify, and if called upon, I would testify to the facts I attest to
24 in this declaration.

25 2. The facts provided in this declaration are the facts as I believe them to be, based
26 on statements and documents provided to me by the Debtor, my conversations with Jerry Gould,
27 and documents filed with the Bankruptcy Court. I believe that all the documents and statements
28

1 I rely on are admissible to prove the truth of the matter asserted under FRE 801(d), 803(3) and
2 (6), 804(b)(3), and 807.

3 3. Shannon and Bonnie Sawyer, filed for relief under Chapter 7 on May 5, 2010. I
4 am the duly qualified, appointed and acting trustee in the case.

5 4. The Debtors have non exempt equity in a 1990 Safari Motor home, a 2005 single
6 axle trailer, a 2006 double axle trailer, and a 1988 box van, ("the Personal Property"), which I
7 desire to sell at auction. We expect to yield approximately \$16,000.00 to the estate. An
8 inventory of the item to be sold at auction is attached as Exhibit "A" to the *Exhibits in Support of*
9 *Motion for Order Authorizing Trustee to Sell Personal Property at Public Auction Sale.*

10 5. I request authority to sell the Personal Property at a public auction, scheduled to
11 be held on September 18, 2010. I believe that selling the Personal Property at public auction will
12 yield the best price obtainable for the Personal Property under the circumstances of Debtors'
13 case.

14 6. Jerry Gould and I conducted a general visual inspection and inventory of the
15 Personal Property. The Personal Property to be sold has been picked up by Jerry Gould of Gould
16 Auction and Appraisal Company ("Auctioneer"). The Personal Property is currently located at
17 the auctioneer's business yard located at 30602 Imperial Street, Shafter, California. The auction
18 will be conducted at 1731 Arts Street, Bakersfield, California.


19 7. In order to liquidate the Personal Property, I entered in to an agreement with Jerry
20 Gould of Gould Auction and Appraisal Company ("Auctioneer"), to advertise, manage, and
21 conduct the auction. I filed a separate *Application of Trustee for Order Authorizing Employment*
22 *of Auctioneer*, which describes in detail the proposed compensation to be paid to Auctioneer. In
23 summary, I propose that the fees for professional services rendered by Auctioneer will not
24 exceed 15% of the gross proceeds for the auction plus a one-time reimbursement of \$500.00 for
25 the pick up and storage of the Personal Property. Additionally, Auctioneer may be reimbursed
26 for up to \$250.00 in extraordinary expenses he incurs for repair of the Personal Property to ready
27 it for sale.

8. I believe that employing an auctioneer and selling the Personal Property at public auction is in the best interest of the estate because (a) it would be inefficient for me to search for a buyer for the 1990 Safari Motor home, a 2005 single axle trailer, a 2006 double axle trailer, and a 1988 box van; (b) it allows me to liquidate the Personal Property in a short period of time.

9. Based on the foregoing, I request authorization to sell the Personal Property at Public auction on or about September 18, 2010 or at such other public auction conducted by Auctioneer as may be reasonable and appropriate.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 5th day of August, 2010 at Bakersfield, California.

/s/ 
Jeffrey M. Vetter
Chapter 7 Trustee